

PROPOSED

ZONING

ORDINANCE

(First draft)

for

NEWARK, NEW JERSEY

July, 1952

NEWARK CENTRAL PLANNING BOARD

Nuse,

SUMMARY OF PROPOSED ZONING ORDINANCES
REARST, N. J.

| DISTRICT | USES PERMITTED | MAXIMUM HEIGHT | FLOOR FEET | MAXIMUM YARDS SIDE | REAR | LOT AREA PER FAMILY | REMARKS |
|----------------|--|---|--|--|--|--|--|
| 1st RESIDENCE | Single family detached dwellings, schools, churches, parks, museums, accessory buildings, ball lots, boards | 2 1/2 Stories 35 Feet | 35 Feet or Average of Block 30' Maximum | 10 Percent of Lot Width One Side 35 Feet | 25 Percent of Lot Depth 30' Maximum | 4,000 sq. ft. | Single family minimum 700 sq. ft. floor space and 12,000 cuft. content |
| 2nd RESIDENCE | Uses permitted in 1st Residence District, two-three family dwellings, garden apartments, nursery schools, medical offices, home occupation | 2 1/2 Stories 35 Feet | 35 Feet or Average of Block 30' Maximum | 10 Percent of Lot Width One Side 35 Feet | 25 Percent of Lot Depth 30' Maximum | 1,600 sq. ft. | |
| 3rd RESIDENCE | Uses permitted in 2nd Residence District, multiple dwellings, hospitals, nursing homes, medical clinics, boarding houses & clubs | 4 Stories 40 Feet | 35 Feet or Average of Block 35' Maximum | 1 1/2' for each foot of building height 25' Minimum | 25 Percent of Lot Depth 10 Percent Corner Lot | One family per floor for every 1,000 square feet of lot area | Multiple dwellings must provide garage facilities. |
| 4th RESIDENCE | Uses permitted in 3rd Residence District, Hotels. | 12 Stories 140 Feet | 10 Feet or Average of Block 35' Maximum | 1" per foot of building height 25' Minimum | 25 Feet for Interior Lots 10 Feet for Corner Lots | One family per floor for every 1,000 sq. ft. of lot area. | Multiple dwellings and hotels must provide garage facilities. |
| 1st BUSINESS | Uses permitted in 4th Residence District. On ground floor only retail stores, personal service shops, professional or business offices, private parking areas. | Same as adjoining District. | None except 2x blocks zoned partly for Residence | None for Business except when it abuts Residence District. Then 5'. | 20 Percent of Lot Depth 30' Minimum | One family per floor for every 1,000 sq. ft. of lot area. | |
| 2nd BUSINESS | General Retail Business Uses | 4 Stories 50 Feet | None | None except on lots abutting Residence District. Then 5' (See remarks) | 25 Feet for Interior Lots 10 Feet for corner lots | | Buildings erected for residential purposes shall provide rear, front and side yard and lot area per family as in 3rd Residence District. |
| 3rd Business | Same uses permitted in 2nd Business District | 12 Stories 140 Feet | None (See Remarks) | None (See Remarks) | None (See Remarks) | (See Remarks) | Buildings erected for residential purposes shall provide side, front, and rear yards and lot area per family same as required in 4th Residence District. |
| 4th Business | Uses permitted in 3rd Business, plus certain light industrial uses. | 2 1/2 times street width with maximum width | None (See Remarks) | None (See Remarks) | None (See Remarks) | (See Remarks) | Buildings erected for residential purposes shall provide side, front, and rear yards and lot area per family same as required in 4th Residence District. |
| 1st INDUSTRIAL | Uses permitted: Manufacturing that is not obnoxious by reason of emission of odor, dust, noise or smoke. Certain specific industries are excluded | 3 Stories 45 Feet | None (See Remarks) | None (See Remarks) | None (See Remarks) | (See Remarks) | Buildings erected for residential purposes shall provide side, front, and rear yards and lot area per family same as required in 3rd Residence District. |
| 2nd INDUSTRIAL | Uses permitted in 1st Industrial District | 2 1/2 times street width plus additional height when set back | None (See Remarks) | None (See Remarks) | None (See Remarks) | None | Buildings erected for residential purposes shall provide side, front, and rear yards and lot area per family same as required in 4th Residence District. |
| 3rd INDUSTRIAL | Any use except residential | None | None | None | None | None | |

The Board of Commissioners of the City of Newark do ordain:

Section 1. DEFINITIONS.

Certain words in this ordinance are defined for the purpose thereof as follows:

1. Words used in the present tense include the future; the singular number includes the plural and the plural the singular; the word "lot" includes the word "plot"; the word "building" includes the word "structure." The word "zone" includes the word "district"; the word "occupied" includes the word "designed or intended to be occupied"; the word "used" includes the words "arranged, designed or intended to be used."

2. Accessory Building: A subordinate building not more than one and one-half stories in height, the use of which is incidental to that of the main building.

3. Alley: A public or private thoroughfare which affords only a secondary means of access to abutting property.

4. Apartment House: See "Dwelling, Multiple."

5. Basement: That portion of a building below the first floor level, the floor of which is more than one foot below the curb level at the center of the street front of the building, but not more than one-half of the story height below said curb level. Where the walls of a building do not adjoin a street or building line, then the average level of the ground on which the building stands may be taken in lieu of the curb level.

6. Boarding House: A building, where for compensation, lodging, or lodging and meals are provided for not more than 30 persons.

7. Building: Any temporary or permanent structure, fence, wall or enclosure, built either above or below the ground.

8. Building, Height of: The vertical distance measured in the case of flat roofs from the curb level to the level of the highest point of the roof beams adjacent to the street wall, and in the case of pitched roofs, from the curb level to the average height level of the gable. In the case of both flat roofs and pitched roofs, the measurement shall be made at the center of the street facade. Where there are structures wholly or partly above the roof, the height shall be measured from the curb level to the level of the highest point of the building. Where a building stands or is to be erected on sloping ground, or will be set back from the street building line, the average level of the ground adjoining the walls of the building may be taken in measuring its height instead of the curb level.

9. Building Area: The maximum horizontal projected area of a building and its accessories.

10. Cellar: That portion of a building below the first floor level having more than one-half ($\frac{1}{2}$) of its height below the curb level at the center of the street front of the building. Where the walls of a building do not adjoin a street or a building line, then a cellar is a story having more than one-half ($\frac{1}{2}$) of its height below the average level of the ground on which the building stands.

11. Court: An open unoccupied space other than a yard, on the same lot with a building. A court not extending to a yard or street is an "inner court." A court extending to a yard or street is an "outer court."

(a) The "least dimension" of a court is the least of the horizontal dimensions of such court. If two opposite ends of a court are not parallel, the horizontal dimension between them shall be deemed the mean distance between them.

(b) The "height of a court" is the vertical distance between the lowest level of such court and the highest point of any bounding wall exclusive of roof structures.

12. Curb Level: The permanently established grade of the street curb in front of the lot.

13. Dwelling: Any building or portion thereof, which is designed for or occupied exclusively for residential purposes for not more than four (4) families.

14. Dwelling, Multiple: A building or portion thereof designed for, or occupied by more than four (4) families, living independently of each other.

15. Family: A family is one or more persons who live together in one dwelling unit and maintain a common household, and who are related by blood, marriage or adoption, and for the purpose of this ordinance includes only a husband and wife, son, son-in-law, daughter, daughter-in-law, father, father-in-law, mother, mother-in-law, grandparents, step child and adopted children and bona fide family servants living in and working full time on the premises.

16. Frontage: All the property on one side of a street or place between two intersecting streets or places measured along the line of the street or place, or if the street or place is terminated without intersecting another street or place, then all of the property abutting on one side between an intersecting street or place and the terminus of the street or place.

17. Garage, Private: A building designed and used only for the storage of non-commercial motor vehicles as an accessory use.

18. Garage, Public: Any building or premises used for the storage of one or more non-commercial self-propelled vehicles or motorcycles, including storage for repair, demonstration, sale, rental, spot painting or adjustment of equipment. Repairs shall not include body and fender work and paint spraying. A salesroom conducted exclusively for the exhibition of not more than ten (10) vehicles as defined above shall not be classed as a public garage.

19. Garage, Commercial: Any building or premises used for the storage of one or more trucks, tractors, trailers, bull dozers and other heavy motor-driven equipment, including storage for manufacture, repair, demonstration, sale, rental, painting, adjustment, inspection or equipment.

20. Garden-Apartment: A group of buildings not more than two and one-half (2½) stories in height, each building to contain not more than twelve (12) dwelling units with no portion of the building below the first floor or above the second floor designed or used for dwelling purposes, provided the minimum distance between buildings shall be twenty (20) feet and that no building shall have a frontage of more than one-hundred fifty (150) feet between side yards.

21. Gasoline Filling Station: A building or premises solely used for the retail sale of gasoline or fuel for the operation of motor vehicles and the minor servicing including a one-bay laundry, and a lubritorium, and the retail sale of accessories incidental thereto.

22. Hand Laundry: An establishment where clothes are received for washing and ironing by the proprietor, and where the work is done by hand, using not more than two (2) each of washing and ironing machines of not more than two (2) horse power in the aggregate, and from which establishment the clothes are carried by the customer.

23. Home Occupation: Any occupation other than that of operating a beauty parlor, barbershop, convalescent or nursing home, tourist home, massage or similar establishment, offering services to the general public, carried on by a member of the family residing on the premises in connection with which there is used no name plate exceeding one square foot in area, nor any artificial lighting, nor any display that will indicate from the exterior that the building is being utilized in whole, or in part, for any purpose other than that of a dwelling, and in connection with which there is kept no stock in trade nor commodity sold upon the premises, no person is employed other than a member of the family residing on the premises and no mechanical equipment is used, except such as is customary for purely domestic or household purposes.

24. Hotel: Any building having fifteen or more sleeping rooms or where sleeping accommodations for more than thirty (30) persons are provided for hire, and with or without meals.

25. Launderette: An establishment only for the washing of clothing brought in by the customer, and in which such washing is performed only on a self-service basis with the use of mechanical equipment, and for which a fee is charged. Self-service shall mean the self-operation of the cleaning units by the customer, and no pick-up or delivery by the management or others in connection therewith.

26. Lot: A parcel of land, the location, dimensions and boundaries of which are determined by the latest official Tax Assessors maps.

27. Lot, Corner: A parcel of land not over fifty (50) feet in width at the junction of, and fronting on, two intersecting streets, having an area not greater than five thousand (5000) square feet and a frontage on one of the intersecting streets not greater than one hundred (100) feet.

28. Lot, Interior: A lot other than a corner lot.

29. Lot, Depth: The mean distance between its mean front street line and its mean rear line. The greater frontage of a corner lot is its depth, and its lesser frontage, its width.

30. Lot, Width: The mean width of a lot measured at right angles to its depth.

31. Lunch Wagon: Any prefabricated structure brought in complete form to, or assembled on the site designed to be used for the purposes of a restaurant, whether standing on its own wheels or on a fixed foundation, whether or not connected with sewer or water mains.

32. Non-Conforming Use: Any building or land lawfully occupied by a use at the time of the effective date of this ordinance or amendments thereto which does not conform after the effective date of this ordinance or amendments thereto, with the use regulations of the district in which it is situated.

33. Parking Area, Private: Any land area provided by the owner or occupant of a building on his premises or on land adjacent or contiguous to said premises, provided the said land area is not in a more restricted zone than said premises, and is used or intended to be used for the parking of motor vehicles of residents, occupants, customers or employees, in connection with the lawful use of said land or building, and, for which parking, no fee is charged, except that no customer parking shall be permitted after 11 o'clock at night on any premises within 150 feet of a Residence District.

34. Parking Area; Public: Any land area used or intended to be used for the parking of motor vehicles and for which a fee is charged.

35. Place: An open, unoccupied space other than a street or alley, permanently reserved as the principal means of access to abutting property.

36. Porch, Open: A roofed piazza, porch or portecochere not more than one story in height which projects beyond the main wall of a building into a required yard not more than eight (8) feet. The columns supporting its roof shall present the minimum of obstruction to the view, and no sash or other enclosure except screens shall be placed between the columns.

37. Retail Store: Where goods are sold directly to the consumer for personal or household use, with or without processing on the premises for such retail sale, but excluding the processing, repair or renovating of furniture, bedding or fixtures.

38. Story: The space between any finished floor of a building and the next finished floor above, excepting that a cellar or basement shall not be considered as a story. A half-story is a portion of a building between a finished floor and the roof construction above, where the space thus enclosed has an average clear height of not more than five (5) feet.

39. Street: Any road, avenue, street, lane, alley or other way commonly used by the public for street purposes.

40. Street Width: The mean of the distance between the street lines thereof within a block. Where a street borders a public park, or a navigable body of water, the width of such street may be taken as the width of such street, plus the width of such public park or body of water, provided that the maximum width of such street shall not be considered more than 100 feet, measured at right angles to the street line.

41. Street Line: The dividing line between the street and the lot.

42. Street Wall: Of a building, at any level, is the wall or part of the building (other than a one-story open porch), nearest to the street line.

43. Structure: That which is built of fabricated or manufactured building materials and placed either above or below the ground.

44. Structural Alteration: Any change or re-arrangement in the structural parts, or in the exit facilities, or any enlargement, whether by extending on any side or by increasing the height, or the moving from one location or position to another.

45. Yard: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as provided in Section 16. In measuring a yard for purposes of determining the required width of a side yard, the required depth of a front yard or the required depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

46. Yard, Front: A yard extending across the street side of a lot measured between the side yard lines and being the minimum horizontal distance between the street line and the main building or any projection thereof, other than steps, unenclosed balconies and unenclosed porches, except as otherwise provided in this ordinance.

47. Yard, Rear: A yard extending across the rear of a lot measured between the rear lot line and the rear of the main building, or any projection thereof, other than steps, unenclosed balconies or unenclosed porches except as otherwise provided in this ordinance. The rear yard shall be at the opposite ends of the lot from the front yard and on corner lots it shall extend across the narrowest part of the lot.

48. Yard, Side: A yard between the building and the side line of the lot which shall be considered to extend from the required rear yard to the street line of the lot.

Section 2. DISTRICTS AND BOUNDARIES THEREOF

1. For the purpose of limiting and restricting to specified districts, and regulating therein buildings and structures according to their construction and the nature and extent of their use, and the nature and extent of the use of land, and to regulate and restrict the height; number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use and extent of use of buildings and structures and land, for trade, industry, residence or other purposes, the City of Newark is hereby divided into districts, of which there shall be eleven (11) in number, known as:--

1. First Residence District
2. Second Residence District
3. Third Residence District
4. Fourth Residence District
5. First Business District
6. Second Business District
7. Third Business District
8. Fourth Business District
9. First Industrial District
10. Second Industrial District
11. Third Industrial District

2. The boundaries of the districts are shown upon the map designated as the "District Map," approved by the Board of Commissioners of the City of Newark as part of this ordinance and filed in the office of the Superintendent of Buildings of the City of Newark. Said "District Map" and all notations, references and other information shown thereon, are a part of this ordinance and have the same force and effect as if the "District Map" and all notations, references and other information shown thereon, were all fully set forth or described herein.

3. Except as in this ordinance otherwise provided:

a. No building, structure or land shall be used for, nor shall any building or structure be erected, converted, enlarged, reconstructed, or structurally altered for any use which does not comply with all the district regulations established by this ordinance for the district in which the building, structure, or land is located.

b. The yard regulations, and the lot area per family provisions, required by this ordinance shall be considered minimum regulations for each and every building or structure existing at the time of the effective date of this ordinance and for any building or structure hereafter erected or structurally altered. No land required for yards, or for lot area per family provisions, for an existing building or structure, or required for any building or structure hereafter erected or structurally altered, shall be considered as a yard or for a lot area for any other building or structure.

c. The requirements of the New Jersey Tenement House law shall apply to the size of rear and side yards and courts of multiple dwellings except where the provisions of this ordinance are greater, in which case, this ordinance shall prevail.

d. Every building or structure hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building or structure and its accessory buildings on one lot.

e. Every building or structure hereafter erected or structurally altered, shall provide garage space or a parking area in compliance with all of the district regulations established by the ordinance for the district in which the building or structure is located.

Section 3. FIRST RESIDENCE DISTRICT REGULATIONS

1. The regulations set forth in this section or set forth elsewhere in this ordinance when referred to in this section, are the district regulations in the First Residence Districts.

2. Use Regulations: A building or premises shall be used only for the following purposes:

a. Single family detached dwellings.

(1) All one family homes having seven (7) or more rooms, exclusive of sun porches, may have two (2) boarders. No separate cooking or eating facilities shall be provided for or permitted for such boarders.

(2) A single family detached dwelling shall contain a minimum of 900 square feet of floor space and a cubicle content of ~~1,200~~ cubic feet. Cellars, garages and open porches shall not be computed in determining the minimum size of said dwelling as set forth herein.

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- b. Parks and playgrounds owned and operated by the City of Newark or the Essex County Park Commission.
- c. Public schools, elementary and high, and State approved private schools, having curricula the same as ordinarily given in public schools, and not conducted for a profit, not to include nursery schools.
- d. Churches.
- e. Publicly owned museums, libraries or community buildings.
- f. Accessory buildings, including a private garage for not more than three (3) non-commercial cars. No accessory building shall be constructed upon a lot until the construction of the main buildings has been actually commenced, and no accessory building shall be used unless the main building on a lot is completed and used.
- g. One (1) temporary sign, not exceeding six (6) square feet in area, or signs aggregating not to exceed six (6) square feet in area, appertaining to the lease, hire or sale of the building or premises on which the sign is displayed.

- h. Church bulletin boards and signs for the display of names of educational institutions not exceeding an aggregate of ten (10) square feet in area.

3. Height Regulations: Except as hereinafter provided in Section 16 hereof, no building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height.

4. Area Regulations:

a. Front yard.

(1) There shall be a front yard having a depth of not less than fifteen (15) feet unless twenty-five (25) per cent or more of the frontage on that side of the street between two (2) intersecting streets is improved with building, a majority of which have a covered or covered front yard line having a minimum depth of not more than six (6) feet, in which case no building shall project beyond the average front yard line established, but this regulation shall not be interpreted to require a front yard of more than fifty (50) feet.

(2) Interior lots having a frontage on two (2) streets shall have a front yard on each street as provided by (1) above.

(3) Except as otherwise provided in this section, where front yards have been established or may be required on each of two (2) intersecting streets, there shall be a front yard on each street side of a corner lot, provided, however, that the width of such lot for building purposes shall not be reduced to less than twenty-six (26) feet and no accessory building shall project into the front yard on either street. On a front yard on the longer side of a corner lot need exceed twelve and one-half (12½) feet.

b. Side Yard.

There shall be a side yard on each side of a building having a width of not less than ten (10) per cent of the average width of the lot, provided, however, that on such side yard need not exceed three and one-half (3½) feet.

c. Rear Yard.

Except as hereinafter provided in Section 16, there shall be a rear yard having a depth of not less than twenty-five (25) per cent of the average width of the lot, provided, however, that such rear yards need not exceed fifty (50) feet.

d. Lot Area per Family

There shall be a lot area of not less than four thousand (4,000) square feet and a lot width of not less than

forty (40) feet, provided, however, that lot having a frontage of less than the width required, and of record at the time of the adoption of this Ordinance, may be used for any purpose permitted in this section.

c. Courts

(1) The least dimension at any given height of any inner court shall be at least 1 1/2 inches to each one foot of height of surrounding wall, but in no case less than 3 feet and need not exceed fifteen (15) feet. The area of an inner court shall be at least 100 square feet of area and least dimension.

(2) The least dimension at any given height of any outer court shall be at least 1 1/2 inches to each one foot of height of surrounding wall, but in no case less than 3 feet and need not exceed ten (10) feet.

Section 4. USE REGULATIONS IN RESIDENCE DISTRICTS.

1. The regulations set forth in this section or set forth later in this Ordinance are referred to in this Ordinance as District Regulations of the Second Residence Districts.

2. Use Regulations

A building or premises shall be used only for the following purposes:

- a. Any use permitted in the First Residence Districts
- b. Home occupations.
- c. Two and three-family dwellings.
- d. Garden Apartments.
- e. Nursery Schools.
- f. The office of a physician, surgeon or dentist, when situated in the same building used by such physician, surgeon or dentist, as his private residence, and where he carries on his said profession alone, and where not more than one (1) name plate is used in connection with the professional use, which name plate does not exceed one (1) square foot in area, and is affixed flush to the building.
- g. Signs, pertaining to nursery schools, provided only one (1) sign, not exceeding four (4) square feet in area, may be erected or maintained flush on the building.

- h. Accessory buildings including private garages for not more than five (5) cars, except that garden apartments shall be permitted and shall provide parking or garage storage space sufficient to accommodate one (1) non-commercial vehicle for every two (2) dwelling units. No accessory building shall be constructed upon a lot until the construction of the main buildings has been actually commenced, and no accessory building shall be used until the main building on a lot is completed and used.

3. Height Regulations:

The height regulations are the same as those in the First Residence Districts.

4. Area Regulations:

- a. Front yard. The front yard regulations are the same as those in the First Residence Districts.
- b. Side Yard. The side yard regulations are the same as those in the First Residence Districts.
- c. Rear Yard. The rear yard regulations are the same as those in the First Residence Districts.
- d. Lot Area per Family. One family shall be permitted for each fifteen hundred (1500) square feet of lot area.
- e. Courts. The court regulations are the same as those in the First Residence Districts.

Section 5. THIRD RESIDENCE DISTRICT REGULATIONS.

1. The regulations set forth in this section or set forth elsewhere in this ordinance when referred to in this section as the district regulations in the Third Residence Districts.

2. Use Regulations.

A building or premises shall be used only for the following purposes:

- a. Any use permitted in the Second Residence District
- b. Multiple Dwellings.
- c. Hospitals and medical clinics, excepting veterinary hospitals.

- d. General practice by physicians, surgeons and dentists, but in connection with said professional use, a name plate not exceeding four (4) square feet in the aggregate, and affixed flush to the building.
- e. Boarding houses.
- f. Convalescent and nursing homes.
- g. Clubs, except those the chief activity of which is a service customarily carried on as a business.
- h. Fleemosynary or philanthropic institutions.
- i. Accessory buildings including private garages for not more than five (5) cars, except that multiple dwellings and garden apartments shall be permitted, and shall provide parking or garage storage space by private parking or private garage sufficient to accommodate one (1) non-commercial vehicle for every three (3) dwelling units. No accessory building shall be constructed upon a lot until the construction of the main buildings has been actually commenced, and no accessory building shall be used unless the main building on a lot is completed and used.

3. Height Regulations:

Except as hereinafter provided in Section 10-1-100, no building shall exceed four (4) stories or fifty (50) feet in height.

4. Area Regulations:

a. Front Yard.

(1) There shall be a front yard having a depth of not less than ten (10) feet and at least fifty (50) per cent of more of its frontage on that side of the street that is one of two intersecting streets improved with buildings, a majority of which have observed an average front yard line having a variation in depth of not more than six (6) feet, in which case no building shall project beyond the average front yard so established, but this requirement shall not be interpreted to require a front yard of more than twenty-five (25) feet.

(2) Interior lots having a frontage on two (2) streets shall have a front yard on each street as provided by (1) above.

(3) Where front yards have been established or may be required on each of two (2) intersecting streets, there

shall be a front yard on each street side of a corner lot, provided, however, that the width of such lot for building purposes shall not be reduced to less than twenty-six (26) feet and no building shall project into the front yard on either street.

b. Rear Yard.

Except as hereinafter provided in Section 16, there shall be a rear yard having a depth of not less than fifteen percent (15%) of the rear depth of the lot, and not less than ten percent (10%) for a corner lot.

c. Lot Area per Family

be less than 3-1/2 feet in width.

1. The regulations set forth in this section or set forth elsewhere in this ordinance when referred to in this section or the district regulations in the Fourth Residence Districts.

a. Use Regulations. A building or premises shall be used only for the following purposes:

- a. Any use permitted in the Third Residence District
- b. Hotels, in which services customarily incident to the operation thereof, may be conducted for the convenience of the occupants of the hotel provided there is no advertising sign, no show window, nor any entrance to such place of business except from the inside of the building. A name plate not exceeding five (5) square feet in area may be attached to the wall of a hotel at the entrance but there shall be no illuminated sign, display or other form of sign or advertisement.

1. Height Regulations. Except as hereinafter provided in Section 16, no building shall exceed thirty (30) stories or one hundred forty (140) feet in height.

4. Area Regulations.

- a. Front yard. The front yard regulations are the same as those in the Third Residence Districts.

shall be a front yard on each street side of a corner lot, provided, however, that the width of such lot for building purposes shall not be reduced to less than twenty-six (26) feet and no accessory building shall project into the front yard on either street.

b. Rear Yard.

Except as hereinafter provided in Section 16, there shall be a rear yard having a depth of not less than fifty percent (50%) of the rear depth of the lot, and not less than ten percent (10%) for a corner lot.

c. Lot Area per Family

One family shall be permitted on each floor for each twelve-hundred (1200) square feet of lot area.

d. Courts.

The court regulations are the same as those in the First Residence Districts.

Section 5. FOURTH RESIDENCE DISTRICT REGULATIONS.

1. The regulations set forth in this section or set forth hereinafter in this ordinance are referred to in this section as the district regulations in the Fourth Residence Districts.

2. Use Regulation. A building or premises shall be used only for the following purposes:

a. Any use permitted in the Third Residence District

b. Hotels, in which services customarily incident to the operation thereof, may be conducted for the convenience of the occupants of the hotel provided there is no advertising sign, no show window, nor any entrance to such place of business except from the interior of the building. A name plate not exceeding five (5) square feet in area may be attached to the wall of a hotel at the entrance but there shall be no illuminated sign, display or other form of sign or advertisement.

3. Height Regulations. Except as hereinafter provided in Section 16, no building shall exceed a height of one hundred forty (140) feet in height.

4. Area Regulations.

a. Front yard. The front yard regulations are the same as those in the Third Residence Districts.

- b. Rear Yard. Except as provided in Section 16, there shall be a rear yard having a depth of not less than twenty (20) feet for interior lots and not less than ten (10) feet for corner lots.

On the side of a building there shall be a side yard not less than one inch for each foot of the height of the building, provided, however, that no side yard shall be less than 3 feet in width.

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5. Parking Regulations.

The parking regulations are the same as those in the Third Residential Districts, except that hotels shall provide parking or garage storage space sufficient to accommodate one (1) non-commercial motor vehicle for each four (4) guests.

Section 7. FIRST BUSINESS DISTRICT REGULATIONS.

1. The regulations set forth in this section or set forth elsewhere in this ordinance when referred to in this section, are the district regulations in the First Business Districts.

2. Use Regulations. Subject to the provisions of this Section, a building or land may be used for any use permitted in the Fourth Residence District, and, in addition, the ground floor of any building may be used for the following uses:--

1. Bakeries, whose products are sold only at retail and only on the premises.
2. Barbershops and beauty parlors.
3. Household appliance repair.
4. Hand laundries and launderettes.
5. Offices.
6. Restaurants, except any part of which is located within 150 feet of a residence district.
7. Sales or show rooms (other than automobile sales or show rooms) used only for purposes of retail stores.
8. Retail dyeing and cleaning establishments having not more than one (1) cleaning unit, and not using a cleaning fluid which has an inflammable base.
9. Stores for the conduct of retail business.

- b. Rear Yard. Except as provided in Section 16, there shall be a rear yard having a depth of not less than twenty (20) feet for interior lots and not less than ten (10) feet for corner lots.
- c. Lot area per family. One family shall be permitted on each floor for each nine-hundred (900) square feet of lot area, except that this section shall not apply to hotels.
- d. The court regulations are the same as those in the First Residence Districts.

5. Parking Regulations.

The parking regulations are the same as those in the Third Residential Districts, except that hotels shall provide parking or garage storage space sufficient to accommodate one (1) non-commercial motor vehicle for each four (4) guests.

Section 7. FIRST BUSINESS DISTRICT REGULATIONS.

1. The regulations set forth in this section or set forth elsewhere in this ordinance when referred to in this section, are the district regulations in the First Business Districts.

2. Use Regulations. Subject to the provisions of this Section, a building or land may be used for any use permitted in the Fourth Residence District, and, in addition, the ground floor of any building may be used for the following uses:--

- 1. Bakeries, whose products are sold only at retail and only on the premises.
- 2. Barbershops and beauty parlors.
- 3. Household appliance repair.
- 4. Hand laundries and laundrettes.
- 5. Offices.
- 6. Restaurants, except any part of which is located within 150 feet of a residence district.
- 7. Sales or show rooms (other than automobile sales or show rooms) used only for purposes of retail stores.
- 8. Retail dyeing and cleaning establishments having not more than one (1) cleaning unit, and not using a cleaning fluid which has an inflammable base.
- 9. Stores for the conduct of retail business.

10. Studies.
11. Theatre and motion picture houses.
12. Accessory buildings and uses customarily incident to the above uses when located upon the same lot with the building or use to which it is accessory, and private garages and private parking areas, provided such garages and private parking areas may not be used for the storage of commercial vehicles having a capacity of more than one and one-half (1½) tons.

Any building used primarily for any of the above enumerated purposes may have not more than forty (40) percent of the floor area devoted to storage purposes incidental to such use, exclusive of basement areas.

3. Height Regulations - The height of any building shall not exceed the height of all buildings in any adjoining district zone.

4. Area Regulations.

- a. Front Yard. Where all the frontage on one side of the street, between two intersecting streets, is located in the Business District, no front yard shall be required. Where the frontage on one side of the street, between two intersecting streets, is located partly in the Business District and partly in a Residence District, the front yard requirements of the Residence District shall apply to the entire frontage in both districts.
- b. Side Yard. Where the side of a lot abuts upon a residence district, there shall be a side yard of not less than five (5) feet.
- c. Rear Yard. Except as hereinafter provided in Section 16, the rear yard regulations are the same as those in the Third Residence District.
- d. Lot Area per Family. The lot area per family regulations are the same as those in the Third Residence Districts.
- e. Courts. The court regulations are the same as those in the First Residence Districts.

Section 8. SECOND RESIDENCE DISTRICT REGULATIONS.

1. The regulations set forth in this section or set forth elsewhere in this ordinance, when referred to in this

Section are in district regulations in the Second Business Districts.

3. Regulation: A building or premises may be used for any purpose except the following:

1. All uses excluded from the Fourth Business Districts.
2. Cemetery or mausoleum.
3. Ice plant or storage yard of more than five (5) tons capacity.
4. Laundry, other than hand laundries or laundrettes.
5. Public Garages.
6. Storage warehouses.
7. Tire re-capping or re-treading where more than two (2) machines are employed.
8. Any kind of manufacture, assembling, or treatment other than the manufacture or treatment of products clearly incidental to the conduct of a retail business conducted on the premises.

4. Height Regulations: The height regulations are the same as those in the Third Residence Districts.

4. Area Regulations:

- a. Side Yards are not required, unless the side of a lot abuts a residence district, in which case there shall be a side yard of not less than five (5) feet.
- b. Rear Yard. Except as hereinafter provided in Section 16, there shall be a rear yard of not less than twenty (20) feet for interior lots, nor less than ten (10) feet for corner lots.
- c. Buildings erected, or structurally altered for dwelling purposes, shall comply with the rear yard and lot area per family regulations of the Third Residence Districts.
- d. Courts. The least dimension at any given height of any inner court shall be at least $1\frac{1}{2}$ inches to each one foot of bounding wall, but in no case less than four (4) feet, and need not exceed twenty (20) feet. The area of an inner court shall be at least twice the square of the required least dimension.

- e. The least dimension at any given height of any outer court, shall be at least one and one-half ($1\frac{1}{2}$) inches to each one foot of height of bounding wall, but, in no case, less than three and one-half ($3\frac{1}{2}$) feet, and need not exceed fifteen (15) feet.

Section 9. THIRD BUSINESS DISTRICT REGULATIONS.

1. The regulations set forth in this section, or set forth elsewhere in this ordinance when referred to in this section, are the district regulations in the Third Business District.

2. Use Regulations:

A building or premises may be used for any of the following purposes:

Any use permitted in the Second Business Districts.

3. Height Regulations:

The height regulations are the same as those in the Fourth Residence Districts.

4. Area Regulations:

Buildings erected, or structurally altered for other purposes, shall comply with the rear yard and lot area per building regulations of the Fourth Residence Districts. The court regulations are the same as those in the Second Business Districts.

Section 10. FOURTH INDUSTRIAL DISTRICT RULES.

1. The regulations set forth in this section, or set forth elsewhere in this ordinance, or referred to in this section, are the district regulations in the Fourth Industrial District.

2. Use Regulations: A building or premises may be used for any purpose, except the following:--

1. Any use excluded from the First Industrial Districts.
2. Assaying of precious metals.
3. Automobile sales lot.
4. Automobile body and fender repair.
5. Bakery, other than retail.
6. Carpet, rug or bag cleaning.
7. Blacksmithing.
8. Bottling Plant or Station for the wholesale distribution of bottled goods.
9. Building materials storage yard.
10. Carting, express, hauling, or storage yard.
11. Candle manufacture.
12. Cement block manufacture.
13. Cleaning and dyeing establishments using more than one cleaning unit, or using a cleaning fluid which has an inflammable base.
14. Coal, coke or wood yard.
15. Contractor's plant or storage yard.
16. Cooperage works.
17. Disinfectant, exterminator, or insecticide manufacture.
18. Carousel, ferris wheel, merry-go-round, roller skating rink, ice skating rink, roller coaster, miniature and practice golf courses, or similar amusement devices and amusement parks.
19. Dog Pound.
20. Emery Cloth and sandpaper manufacture.
21. Enameling, japanning or lacquering.
22. Fish and meat smoking and curing.
23. Gasoline filling station.
24. Ice manufacture, or cold storage plant from which ice is sold for delivery away from the premises.
25. Livery or boarding stables or riding academy.
26. Lumber or lumber products storage.
27. Lunch Wagon.

28. Machine Shop.
29. Mattress Manufacture or renovator.
30. Milk distributing station.
31. Paper, paper box and Pulp Manufacture.
32. Pickle, Sauerkraut or vinegar manufacture.
33. Public garage, except those in which the sale of gasoline or oil and the servicing of motor vehicles is incidental to the use of the premises for parking or storage of motor vehicles in said premises, and in which no repair work is carried on.
34. Sheet metal works.
35. Shoe polish manufacture.
36. Stone yard or monumental works, inclusive of cutting, carving, lettering, dressing of stone, or artificial stone, or the manufacture of artificial stone and stone substance, and also the storing or display for commercial or advertising purposes, or purposes of sale, in any building or on any premises, of stone or artificial stone for building purposes, monuments, tombstones, gravestones or grave markers.
37. Stove polish manufacture.
38. Washing fluid, mixing, bottling or manufacture of.
39. Wood working plant.
40. Welding.

3. No building or premises shall be used for any of the herein permitted kind of manufacturing, repairing, alteration, conversion or finishing which may be a commercial mechanical force of more than fifty (50) horsepower, or which is operated by a steam plant carrying at least over forty (40) pounds pressure, nor for the manufacture of products, the major portion of which is to be sold other than at retail, on the premises to the ultimate consumer.

4. Height Regulations: Except as hereinafter provided in Section 16, no building shall exceed a height of two and one-half times the width of the widest street on which it fronts provided, however, that the street be less than sixty (60) feet in width, the said height regulations shall be applied as on streets sixty (60) feet in width, and provided further, that on streets narrower than or equalled (100) feet in width, the said height regulations shall be applied as on streets one hundred (100) feet in width. Five (5) feet may be added to the height of a building, or a portion thereof, for a sign on a lot fronting a building, or a portion thereof, set back from the street line.

5. Area regulations: Buildings erected, or structurally altered for dwelling purposes, shall comply with the yard and lot area provisions of the Fourth and Second Districts. The court regulations are the same as those in the Second Business Districts.

Section 11. FIRST INDUSTRIAL DISTRICT REGULATION.

1. The regulations set forth in this section, or set forth elsewhere in the ordinance when referred to in this section are the district regulations in the First Industrial Districts.

2. Use Regulations: a building or premises may be used for any purpose, except the following:

1. Acetylene Gas manufacture or storage.
2. Alcohol manufacture.
3. Amonia, chlorine or bleaching powder manufacture.
4. Arsenal.
5. Asphalt manufacture or refining.
6. Automatic Auto Laundries.
7. Blast furnace.
8. Boiler Works.
9. Brick, tile or terra cotta manufacture.
10. Cement, lime, gypsum or plaster of paris manufacture.
11. Central mixing plant for cement, plaster, mortar, or building materials.
12. Commercial Carage.
13. Coke ovens.
14. Crematory.
15. Creosote treatment or manufacture.
16. Cotton oil manufacture.
17. Distillation of coal, wood or bones.
18. Dyestuff manufacture.
19. Explosives or fireworks manufacture.
20. Fat rendering.
21. Fertilizer manufacture.
22. Flour and grain milling.
23. Forge Plant.
24. Fur cutting or pasting.
25. Gas manufacture and storage.
26. Glue, size or gelatine manufacture.
27. Incineration or reduction of garbage, offal, dead animals or refuse.
28. Iron, steel, brass or copper foundry.
29. Lamp black manufacture.
30. Match manufacture.
31. Oilcloth or linoleum manufacture.
32. Paint, oil, varnish, turpentine, enamel, japanning or lacquer manufacture.
33. Petroleum refining, or the storage of petroleum or its products in excess of 30,000 gallons.
34. Planing mill and saw mill.
35. Plastics or manufacture of articles from plastics having a pyroxyline or nitro-cellulose base.
36. Potash works.
37. Printing ink manufacture.

39. Raw hides or skins, storage, curing, pickling, tanning or re-tanning.
40. Rock crusher.
41. Rolling Mill.
42. Rubber manufacture from the crude material.
43. Slaughtering of animals or fowls.
44. Smelters and foundries.
45. Soap manufacture.
46. Starch, glucose or dextrine manufacture.
47. Stock yards.
48. Sugar refining.
49. Sulphurous, sulphuric, nitric or hydrochloric acid manufacture.
50. Tallow, grease or lard manufacture or refining.
51. Tar distillation or manufacture.
52. Tar roofing or tar water proofing manufacture.
53. The dismantling or storage of dismantled automobiles or used parts thereof, or the storage or baling of scrap paper, rags, rubber, iron, bottles, scrap or junk.
54. Truck terminals.
55. Wool Pulling.
56. Yeast Plant.
57. Any other trade, industry or use that is noxious or offensive by reason of the emission of odor, dust, fumes, vapor, smoke or noise.

3. Height Regulations: Except as hereinafter provided in Section 16, no building shall exceed in height of three (3) stories or forty-five (45) feet.

4. Area Regulations:

- a. The rear yard regulations for dwellings are the same as those in the Third Residential Districts.
- b. Lot Area per Family. The lot area per family regulations are the same as those in the Third Residence Districts.
- c. Courts. The court regulations are the same as those in the Second Business Districts.

Section 12. SECOND INDUSTRIAL DISTRICT REGULATIONS.

1. The regulations set forth in this section or set forth elsewhere in this ordinance when referred to in this section are the district regulations in the Second Industrial Districts.

2. Use Regulations: A building or premises shall be used only for the following purposes:

Any use permitted in the First Industrial Districts.

3. Height Regulations. The height regulations are the same as those in the Fourth Business Districts.

4. Area Regulations.

- a. Yards. The rear yard regulations for dwellings are the same as those in the Fourth Residence Districts.
- b. Lot Area per Family. The lot area per family regulations are the same as those in the Fourth Residence Districts.
- c. Courts. The court regulations are the same as those in the Second Business Districts.

Section 13. THIRD INDUSTRIAL DISTRICT REGULATION.

1. The regulations set forth in this section or set forth herein in this ordinance shall be applied to in this section are the district regulations in the Third Industrial Districts.

2. Use Regulations. A building or premises may be used for any purpose whatsoever not in conflict with any ordinance of the City of Newark regulating businesses provided, however, that no building or premises shall be used as a building shall be erected or structurally altered for use for dwelling purposes except that a building may be established in connection with any industrial establishment for one watchman employed upon the premises.

3. Height Regulations. The height regulations are the same as those in the Fourth Business Districts.

4. Courts. The court regulations are the same as those in the Second Business Districts.

Section 14. LOCATION OF ACCESSORY BUILDING IN RESIDENCE DISTRICTS.

Accessory building shall conform to the following regulations as to their location upon the lot:

1. No accessory building shall be erected or altered in an interior lot fronting upon only one street so as to encroach upon that half of the lot depth nearest the street.

2. No accessory building shall be erected or altered on an interior lot fronting upon two streets so as to encroach upon that fourth of the lot depth nearest either street.

inimical to the public safety and general welfare if located without the due consideration of conditions and surroundings, no permit therefor shall be issued except upon application first made to the board of adjustment, which is directed to hear the same in the same manner and under the same procedure as the board of adjustment is empowered by law and ordinance to hear cases and make exceptions to the provisions of a zoning ordinance, and authorized to recommend in writing to the board of Commissioners that a permit for such use be granted, if, in its judgment, it will not be detrimental to the health, safety and general welfare of the community, and is reasonably necessary for the convenience of the community.

Section 16 A

(a) In no district shall a gasoline or oil station, automatic automobile cleaning station, public garage and commercial garage be erected, enlarged or established within a block upon which is situated:-

1. A public school.
2. A duly organized school giving regular instruction at least five days a week for eight or more months a year.
3. A hospital.
4. A church.
5. An orphan asylum.
6. A theatre or opera house or other building used for theatrical or operatic purposes or for public entertainment.
7. A public library; or
8. A public art museum.

Whenever the frontage, entrance or exit of such gasoline or oil station, automatic automobile cleaning station, public garage and commercial garage, however, is not within such prohibited block, the distance between the nearest lot line of the premises used by such gasoline or oil station, automatic automobile cleaning station, public garage and commercial garage and the nearest lot line of the premises used by any of the above enumerated uses shall be not less than seventy-five (75) feet; provided, that there be at least two hundred (200) feet, measured along street lines, between the entrance, exit or other driveways of such gasoline or oil station, public garage and commercial garage and the nearest lot line of the premises of such enumerated use.

b. Gasoline Filling Stations.

(1) No gasoline filling station shall be built on a corner lot having a width of less than sixty (60) feet and an area of less than five thousand

(5,000) square feet; or on an interior lot having an area of less than seventy-five hundred (7,500) square feet.

(2) Pump islands shall not be less than fifteen (15) feet from any street line.

(3) Outside pits, racks or lifts shall not be less than twenty-five (25) feet from any street line.

(4) A suitable barricade made of any conventional fencing material not less than four (4) feet high shall be built along all property lines other than street lines, and shall be maintained in a good safe condition.

(5) Driveways: Driveways shall cross the sidewalk at right angles and shall not be more than eighteen (18) feet wide at any point thereof. Driveways must be at least ten (10) feet from any side lot line or from the intersection of street lines. There shall be no more than one (1) driveway on any one (1) street frontage unless the street frontage is in excess of seventy (70) feet, in which case there may be a maximum of two (2) driveways on such street frontage provided such driveways are ten (10) feet apart.

(6) Curbing: A raised concrete curb at least eight (8) inches in height and six (6) inches wide at top, shall be constructed and maintained in a good and safe condition along all street property lines, except at driveways.

(7) Paving: The entire area of the station traversed by motor vehicles shall be hard surfaced.

c. Public Parking Areas.

(1) No public parking area shall occupy a lot containing less than five thousand (5,000) square feet.

(2) A suitable barricade made of any conventional fencing material at least thirty (30) inches in height shall be built on all street property lines except at driveways as permitted herein, and shall be maintained in good and safe condition.

(3) A wood or concrete bumper six (6) inches high and six (6) inches in width, suitably anchored into the earth, shall be provided along the lot lines other than street lines, said bumper to be

placed three (3) feet from said lot lines. Cars parked adjacent to property lines other than street lines shall be so parked that the mouth of the exhaust pipe shall not point towards said property line.

(4) Driveways shall cross the sidewalk at right angles and shall not be more than eighteen (18) feet wide at any point. Driveways must be at least five (5) feet from any side lot line or ten (10) feet from the intersection of the street lines. There shall be no more than one (1) driveway on any one (1) street frontage unless the street frontage is in excess of seventy (70) feet, in which cases there may be a maximum of two (2) driveways provided such driveways are ten (10) feet apart.

(5) The entire area traversed by motor vehicles shall be hard surfaced.

4. Additional Area Regulations.

a. The area required in a court or yard at any level shall be open from floor level to the sky unobstructed, except for the ordinary projections of skylights and parapets above the bottom of such court or yard, and except for the ordinary projections of window sills and belt courses to the extent of not more than four inches. Cornices and other ornamental features may extend into such court or yard to the extent of not more than twelve inches.

b. An open or lattice enclosed iron fire-escape, fireproof outside stairway, or solid-floored balcony to a rear yard may project not more than four feet into a rear yard or an inner court, except that an open or lattice enclosed iron fire-escape may project not more than eight feet into a rear yard or into an inner court, when it does not occupy more than twenty percent of the area of such inner court.

c. A corner of a court or yard may be cut off between walls of the same building, provided that the length of the wall of such cut-off does not exceed seven feet.

d. Windows opening on an offset to a court or yard shall be subject to comply with the provisions of this ordinance provided such offset is no deeper in any part than it is wide on the open side. The open side of such offset shall in no case be less than six feet. The area contained in such offset shall, in no case, be included in computing the

required area of a court or yard.

e. A one-story open porch may project into a required front yard for a distance not greater than eight feet.

f. No rear yard shall be required on corner lots occupied solely by business or industrial buildings in Business or Industrial Districts.

g. In Residence Districts, accessory buildings may occupy forty (40) percent of the required area of a rear yard up to a height of eighteen (18) feet above the curb level.

h. Chimneys or flues may be erected within a side or rear yard, provided they do not project more than two (2) feet and they shall not obstruct ventilation.

i. In computing the depth of a rear yard when the rear yard opens onto a public alley, one-half ($\frac{1}{2}$) of the width of the alley may be considered to be a portion of the rear yard.

4. Additional Height Regulations.

a. In Business and Industrial Districts, a dormer, elevator, bulkhead or other structure may be erected above the height limit at any level for any part of a building, provided its frontage length on any given street be not greater than fifty (50%) percent of the length of such street frontage of such part of the building. Such frontage length of such structure at any given level shall be decreased by an amount equal to one (1%) percent of such street frontage of such part of the building for every foot such level is above such height limit. If there are more than one such structures, their aggregate frontage shall not exceed the frontage length above permitted at any given level.

b. The height regulations shall not apply to the erection of church spires, radio or television towers or antenna, telephones, chimneys, flues, grain elevators or gas holders; nor to bulkheads, elevator enclosures or water tanks occupying in the aggregate less than ten (10) percent of the area of the roof on which they are located.

c. Nothing in this ordinance shall prevent the projection of a cornice beyond the street wall to an extent of not more than three (3) feet, nor prevent the erection above the height limit of a parapet wall or cornice extending above such height limit not more than five (5) feet.

d. In the Fourth Business and Second and Third Industrial Districts, if the area of a building is reduced so that above a given level it covers in the aggregate, not more than 25 per cent of the area of the lot, the building above such level shall be exempted from the height regulations. Such portion of the building may be erected to any height provided that it sets back from each of its lot lines at every level at least one inch for each one foot that such level is above the curb level.

e. Along a narrower street near its intersection with a wider street, any building or part thereof fronting on the narrower street within 200 feet, measured at right angles to the side of the wider street, shall be governed by the height regulations provided for the wider street. A corner building on such intersecting streets shall be governed by the height regulations provided for the wider street for 200 feet from the side of such wider street, measured along such narrower street.

Section 17. BOARD OF ADJUSTMENT.

There is hereby continued the Board of Adjustment, heretofore established, consisting of five members. The Board shall be appointed by the Board of Commissioners of the City of Newark, and shall serve for a term of five years each, or until their successors shall be appointed and qualify, except that the present appointees shall continue until the expiration of their respective terms. All appointments to fill vacancies shall be for the unexpired terms.

Said Board shall exercise the power and authority conferred upon it in accordance with 1937 R.S. 40:55-30 to 40:55-51 and the amendments and supplements thereto.

Section 18. CERTIFICATE OF OCCUPANCY.

1. It shall be unlawful to use or permit the use of any building or premises, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly in its use or structure, until a certificate of occupancy to the effect that the building or premises, or part thereof so created, erected, changed, converted, or enlarged and the proposed use thereof conform to the provisions of this ordinance, shall have been issued by the Superintendent of Buildings. In the case of such buildings or premises, it shall be the duty of the Superintendent of Buildings to issue a certificate of occupancy within ten days after the request for same shall be filed in his office by any owner of a building or premises, or the part thereof so created, erected, changed, converted or enlarged and if the proposed use thereof, conforms with all the requirements herein set forth.

2. A temporary certificate of occupancy for a part of a building may be issued by the Superintendent of Buildings. Upon application from the owner, the Superintendent of Buildings shall issue a certificate of occupancy for any building or premises existing at the time of passage of this ordinance certifying, after inspection, the use of the building or premises and whether such use conforms to the provisions of this ordinance.

Section 19. DISTRICT BOUNDARIES.

1. Where uncertainty exists with respect to the boundaries of the various districts as shown on the map accompanying and made a part of this ordinance, the following rules shall apply:--

- a. Where the district boundaries are either streets or alleys, unless otherwise shown, and where the districts designated on the map accompanying and made a part of this ordinance are bounded approximately by streets or alley lines, the center line of said street or alley shall be construed to be the boundary of such district.
- b. The district boundaries are, unless otherwise indicated, either street lines or lines drawn parallel to and one hundred feet back from one or more of the street lines bounding a block. Where two or more district designations are shown within a block two hundred feet or less in width, the boundaries of the less restricted district shall be deemed one hundred feet back from its street line. Where two or more district designations are shown within a block more than two hundred feet in width, the boundaries of the more restricted district shall be deemed one hundred feet back from its street line.

Section 20. COMPLETION AND RESTORATION OF EXISTING BUILDINGS.

Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a valid building permit is outstanding.

Section 21. NEW TERRITORY.

Whenever lands or territory shall hereafter be acquired by annexation, the said lands or territory shall be deemed to be zoned as it was prior to annexation in the municipality from which it was acquired.

Section 22. TRUCK PARKING

Commercial Vehicle Parking

The garaging, storing or parking of commercial vehicles on any properties, private roads, or public streets, is prohibited within the boundaries of districts designated as First, Second or Third Residence; provided, however, that nothing herein shall prohibit the parking of a commercial vehicle for such reasonable time as may be required in pickup or delivery service to such districts. Owners, lessees, occupants and other persons responsible for, or knowingly permitting violations of this Section on properties or private roads, shall be guilty of such violations, and the owner and user of any vehicle parked or stored or garaged on any public street, in violation of this Section, shall be responsible therefore.

Section 23. VALIDITY OF ORDINANCE.

If any article, section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the article, section, paragraph, subdivision, clause or provision so adjudged, and the rest of the ordinance shall remain valid and effective.

Section 24. ENFORCEMENT LEGAL PROCEDURE, PENALTIES.

This ordinance shall be enforced by the Superintendent of Buildings. For any and every violation of the provisions of this ordinance, the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor or any other person who commits, takes part, or assists in such violation or who maintains any building or premises in which any such violation shall exist, shall, for each and every violation, and for each and every day that such violation continues, be subject to a fine of not more than two hundred (\$200) dollars, or be imprisoned in the County Jail for a term not exceeding ninety days, or both.

Section 25. WHEN EFFECTIVE.

This Ordinance shall take effect immediately. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

